

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

State of Iowa

v.

Abbott Laboratories Inc., et al.

)
) Judge Patti B. Saris
)
)
)
)

AUGUST 2010 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for August 2010, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: August 2, 2010

Respectfully submitted,

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By: /s/ Joanne M. Cicala
Joanne M. Cicala

Counsel for the State of Iowa

August 2010 Status Report for the State of Iowa

Discovery

1. Joint Motion to Modify Certain Pre-Trial Dates

On July 12, 2010, the court granted plaintiff and defendants' joint motion to modify certain pre-trial dates. *See* Docket No. 7177, Sub-docket 85. The order sets forth the following deadlines: (1) plaintiff's expert reports must be served by November 1, 2010, (2) plaintiff's expert depositions must be completed by December 15, 2010, (3) defendants' expert reports must be served by January 31, 2011, and (3) defendants' expert depositions must be completed by March 18, 2011. *See Id.*

2. Schering's Motion for a Protective Order

On March 5, 2010, defendant Schering filed a motion for protective order and to quash a notice of deposition served by plaintiff on March 1, 2010. *See* Docket No. 6964, Sub-docket No. 70; Docket No. 6965, Sub-docket No. 71.

On March 26, 2010, plaintiff filed its opposition to defendant Schering's motion for protective order. *See* Docket No. 7009, Sub-docket No. 73. This motion remains *sub-judice*.

Voluntary Dismissal of Claims

On July 13, 2010, plaintiff filed a notice of voluntary dismissal of claims against defendant Medimmune. *See* Docket No. 7182, Sub-docket 87.

On July 14, 2010, the court entered an order granting plaintiff's voluntary dismissal of claims against defendants Purdue Pharma L.P., Purdue Frederick Company and Purdue Pharma Company. *See* Docket No. 7183, Sub-docket No. 88.

On July 20, 2010, the court granted a plaintiff's stipulation of dismissal of claims against defendant GSK Group. *See* Docket No. 7191, Sub-docket 89.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 2nd day of August, 2010, she caused a true and correct copy of the above August 2010 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: August 2, 2010

/s/ Kathryn B. Allen
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